

Remarks/Arguments

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-20 remain in this case for consideration.

Claims 1, 2, 4, 5, 7-9 and 14 stand rejected, while claims 3, 6, 10-13 and 15-20 stand objected to, but are considered to contain allowable subject matter.

Claims 1, 2, 4, 5, 7-9 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenbalm et al. in view of Scarnato et al., with the Examiner considering that "It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the lower end of the converging drum of Scarnato on the device of Rosenbalm in order to shred crop material". It is respectfully submitted that, as now presented, base claims 1 and 14 define patentably over this combination of references.

Specifically, among other structure, claims 1 and 14 each require at least one converging drum to have a lower end including an outer peripheral edge located at a first distance above a path followed by knife blades carried by the at least one rotary disc and to include an inner region surrounding the axis of rotation of the converging drum and located a second distance, which is greater than said first distance, above said path, thereby creating a relief area beneath said at least one converging drum and with said relief area being devoid of any structure thereby permitting crop to move into the relief area, with it being noted that the knife blades of the at least one rotary disc passes vertically beneath the outer peripheral edge of the lower end of the converging drum.

As the Examiner has recognized, the converging drums 110 and 112 of Rosenbalm et al. do not have lower ends which define the required relief area into which crop may move.

The Examiner relies on Scarnato et al. for a teaching of the claimed lower end of the converging drum which defines a relief area for permitting crop to move into the relief area, however, Scarnato et al. mounts a cap 50 to the bottom of the drum or cylinder 39, thereby substantially filling and/or blocking access to the relief area. Thus, the area defined beneath the shroud 47 cannot serve as a relief area for crop to move into. Scarnato et al. in no way teach that a void be created at the bottom of a converging drum for permitting crop to move into the void to prevent plugging, as is

the case with applicant's claimed structure. Thus, claims 1 and 14 are thought to be allowable.

Claims 2, 4, 5, and 7-9 depend either directly or indirectly from claim 1 and are likewise thought allowable.

In view of the above, claims 3, 6, 10-13 and 15-20 are each dependent from respective claims thought allowable, and hence are thought also to be in condition for allowance.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Respectfully,


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